

REMARKS

This amendment is in response to the Office Action mailed February 26, 2004.

The specification has been amended to correct typographical and grammatical errors noted by the Examiner in paragraph 1 of the Office Action.

The title of the invention has been amended as suggested by the Examiner in paragraph 2 of the Office Action.

Claims 1-3 and 12-14 have been canceled, rendering the Examiner's rejections in paragraphs 3-6 moot.

Claims 4-11 and 15-22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,512,744 to Hughes et al. and U.S. Patent No. 6,680,943 to Gibson et al. The Examiner's rejection on this ground is respectfully traversed.

Among the limitations of new independent claim 24 which is neither disclosed nor suggest in the art of record is a requirement that the two communication connections which are to be merged have different destination nodes. Hughes discloses merging two virtual channels which share a common egress node in an ATM network. Hughes fails to disclose merging of virtual channels having different destination nodes. In the absence of any disclosure or suggestion of merging of such communication connections, claim 24 is believed to be in condition for allowance.

Like claim 24, independent claim 15 recites a node which consolidates communication connections having different destination nodes, and therefore, this claim is allowable for substantially the same reasons.

Claims 6-7, 16-19, 23, and 25-27 depend from claims 15 and 24 and include all the limitations found therein, and therefore are allowable for the same reasons. In addition, these claims recite additional limitations which, in combination with the

limitations of claims 15 and 24 respectively, are not disclosed or suggested in the art of record.

Claim 4 has been canceled in favor of new independent claim 24, which improves the idiomatic use of English, and more generically recites a “second communication connection” in lieu of a “new communication connection.” Claim 24 also clarifies that the existing communication connection and the second communication connection have different first and second destination nodes. This limitation can be found in original claim 4 where it recites “in a condition to be branched at a terminal point node after.” In addition, the term “collateral parameter” has been broadened to recite a “parameter.” These changes broaden the scope of new claim 24 as compared to original claim 4.

Claim 15 has been amended to improve the idiomatic use of English throughout the claim. The term “collateral parameter” has been broadened to recite a “parameter.” The phrase “in a condition to be branched at a terminal point node after modification of parameter of the existing communication connection” has been deleted and the phrase “connections having different destination nodes” has been added to clarify that the claim is directed to communication connections with different destinations in the connection-oriented network. These changes broaden the scope of claim 15, as the claim now requires different destination nodes, whether or not such nodes are egress nodes. Additionally, the phrase “means for making judgment” has been replaced with the term “a processor,” thus clarifying that these limitations are not intended to invoke 35 U.S.C. § 112, ¶ 6.

Claims 5 and 9 have been canceled in favor of new claim 25, and claim 20 has been canceled in favor of claim 16. Claims 25 and 16 improve the idiomatic use of English by claiming that the existing communication connection is a tunneling communication connection and eliminates the recursive nature of the method and node found in claims 5, 9, and 20. Because it is necessary to perform the elemental steps recited in claims 16 and

25, it is believed that the scope of claims 5, 9 and 20 are encompassed by claims 16 and 25, which do not recite such recursion.

Claims 6 and 7 have been amended to make them consistent with new claim 24. Claims 17 and 18 have been amended to make them consistent with claim 15. These changes do not affect the scope of these claims.

Claim 8 has been canceled in favor of new claim 26, while claim 19 has been amended to depend from claim 15. These changes are believed to broaden the scope of these claims.

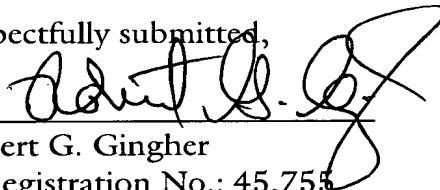
Claims 10, 11, 21, and 22 have been canceled. The scope of these claims are believed to be covered by claims 6, 7, 17, and 18.

New claims 23-27 have been added to more fully claim the invention.

Reconsideration of the application and allowance of the claims are earnestly solicited.

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Respectfully submitted,

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